

28

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
DIVISION

Theodore Levin U.S. Courthouse

231 W. Lafayette Blvd.

Detroit, MI 48226

Case: 2:16-cv-14301
Judge: Friedman, Bernard A.
MJ: Patti, Anthony P.
Filed: 12-09-2016 At 01:15 PM
CMP DAWSON ET AL V. SAMUELS ET AL (NA)

*Kelsey Rae Dawson,
Timothy Scott Dawson, et al. and
Ryan Brooks Dawson*

-against-

I. Parties to this Complaint,

B. The Defendant(s) (Attachment 1 for 1-1 thru 1-22)

(Non-Prisoner Complaint). Section 1557 of Affordable Care Act, Section 504 of American Disabilities Act. HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT OF 1996 Public Law 104-191 104th Congress.

Case No. _____
(to be filled in by the Clerk's Office)

Jury Trial: ✓ Yes No

(check one)

I. The Parties to This Complaint**A. The Plaintiff(s)**

Name Kelsey Rae Dawson _____
 Street Address 4140 Cornell _____
 City and County Dearborn _____
 State and Zip Code Michigan, 48125 _____
 Telephone Number 313 277-8727 _____
 E-mail Address tsdddawson@yahoo.com _____

Name Timothy Scott Dawson, et. al _____
 Street Address 10051 Holland Road _____
 City and County Edmore _____
 State and Zip Code Michigan, 48829 _____
 Telephone Number 313 277-8727 _____
 E-mail Address tsddawson@yahoo.com _____

Name Ryan Brooks Dawson _____
 Street Address 4140 Cornell _____
 City and County Dearborn _____
 State and Zip Code Michigan, 48125 _____
 Telephone Number 313 277-8727 _____
 E-mail Address tsdddawson@yahoo.com _____

Name Timothy S. Dawson Life Estate 3rd Circuit Court,
 Wayne County, Life Estate decree _____
 Street Address 4140 Cornell _____
 City and County Dearborn _____
 State and Zip Code Michigan, 48125 _____
 Telephone Number 313 277-8727 _____
 E-mail Address tsdddawson@yahoo.com _____

Name Cristy Lee Scott (Sister) Recovery Rights in the
 event of death of Timothy Scott Dawson to be
 distributed by 25% to each party (Kelsey Rae
 Dawson, Ryan Brooks Dawson, Cristy Lee Scott
 and Aileen Leslie Cummings (at 501 S. Melborn,

Dearborn, MI. 48124) _____
 Street Address 30901 John Hauk _____
 City and County Garden City, Wayne County _____
 State and Zip Code Michigan, 48135 _____
 Telephone Number 734 425-8567 _____
 E-mail Address NA _____

B. The Defendant(s)

Defendant No. 1

Name Office for Civil Rights, U.S. Department of Health
and Human Services _____
 Job or Title Jacquelyn Samuels- Director, et al. __ (if known)
 Street Address 200 Independence Avenue, SW, Room 509F, HHH
Building _____
 City and County Washington _____
 State and Zip Code D.C. 20201 _____
 Telephone Number (800) 368-1019 _____
 E-mail Address Non-privacy related, OCRMail@hhs.gov _____
☒ Individual capacity ☒ Official capacity

Defendant No. 2

Name Health Insurance Marketplace, Department of
Health _____
 Job or Title Kevin Counihan- Marketplace CEO, et al. _____
 Street Address 465 Industrial Blvd. _____
 City and County London, __ Laurel County _____
 State and Zip Code Ky., 40750 _____
 Telephone Number 1-800-318-2596 _____
 E-mail Address "noreply@healthcare.gov" notices@healthcare.gov _
☒ Individual capacity ☒ Official capacity

Defendant No. 3

Name Marketplace Appeals Center _____
 Job or Title Helen- Director, Badge#82614, et al. _____
 Street Address PO Box 311 _____
 City and County Pittston, Luzerne County _____

State and Zip Code PA. 18640_____
 Telephone Number 1-855-231-1751. 1-800-318-2596_____
 E-mail Address mailto:??@cms.hhs.gov_____
☒ Individual capacity ☒ Official capacity

Defendant No. 4

Name U.S. Centers for Medicare & Medicaid Services_____
 Job or Title Andy Slavitt- Acting Administrator, et al._____
 Street Address 7500 Security Boulevard_____
 City and County Baltimore, Baltimore County_____
 State and Zip Code MD 21244_____
 Telephone Number 877-267-2323_____
 E-mail Address _____ (if known)
☒ Individual capacity ☒ Official capacity

Defendant No. 5

Name Office of General Council, U.S. Department of Health
 Health and Human Services_____
 Job or Title Peggy Dotzel- Acting General Council, et al._____
 Street Address 200 Independence Avenue_____
 City and County Washington_____
 State and Zip Code D.C. 20201_____
 Telephone Number (800) 368-1019_____
 E-mail Address NA_____
☒ Individual capacity ☒ Official capacity

Defendant No. 6

Name Western Wayne - Children & Family Services,
 MDHHS_____
 Job or Title Stacy Bowen- District Manager, et al._____
 Street Address 27540 Michigan Avenue_____
 City and County Inkster, Wayne County_____
 State and Zip Code MI. 48141_____
 Telephone Number 313-931-6400_____
 E-mail Address NA_____

☒ Individual capacity☒ Official capacity

Defendant No. 7

Name The Center for Consumer Information & Insurance Oversight _____

Job or Title Kevin Counihan Marketplace CEO, et al. _____

Street Address 200 Independence Avenue _____

City and County Washington, County District of Columbia _____

State and Zip Code D.C. 20201 _____

Telephone Number (800) 368-1019 _____

E-mail Address NA _____

☒ Individual capacity☒ Official capacity

Defendant No. 8

Name Healthy Michigan, DEPARTMENT OF HEALTH AND HUMAN SERVICES _____

Job or Title Rick Lyon- MDHHS Director, et al. _____

Street Address PO BOX 30763 _____

City and County Lansing , Ingham County _____

State and Zip Code MI 48909 _____

Telephone Number (877) 833-0870 _____

E-mail Address NA _____

☒ Individual capacity☒ Official capacity

Defendant No. 9

Name MAXIMUS Federal Services _____

Job or Title Tom Romeo- President, et al. _____

Street Address 3750 Monroe Avenue, Suite 705 _____

City and County Pittsford, Monroe County _____

State and Zip Code NY 14534 _____

Telephone Number 1.800.318.2596 _____

E-mail Address MarketplaceAppealsCenter@maximus.com _____

☒ Individual capacity☒ Official capacity

Defendant No. 10

Name Michigan Department of Community Health _____

Job or Title Nick Lyon- MDHHS Director, et al. _____
 Street Address Capital View Building 201 Townsend St _____
 City and County Lansing , Ingham County _____
 State and Zip Code MI 48913 _____
 Telephone Number Child Support: 866-540-0008, General Information:
 517-373-3740 _____
 E-mail Address NA _____
☒ Individual capacity ☒ Official capacity

Defendant No. 11

Name Michigan Administrative Hearing System for the
 Department Of Health and Human Services _____
 Job or Title Lisa Gigliotti- Director, et al. _____
 Street Address PO BOX 30763 _____
 City and County Lansing, Ingham County _____
 State and Zip Code MI. 48909 _____
 Telephone Number (877) 833-0870 _____
 E-mail Address NA _____
☒ Individual capacity ☒ Official capacity

Defendant No. 12

Name MiNotifyTPL, Department Of Health And Human
 Services _____
 Job or Title Rick Lyon- MDHHS Director, et al. _____
 Street Address PO BOX 30763 _____
 City and County Lansing , Ingham County _____
 State and Zip Code MI 48909 _____
 Telephone Number 517-335-8760 _____
 Email Address MiNotifyTPL@michigan.gov _____
☒ Individual capacity ☒ Official capacity

Defendant No. 13

Name Montcalm County, MDHHS _____
 Job or Title Linda Porter- Case Worker, et al. _____
 Street Address P.O. Box 278, 609 N. State _____
 City and County Stanton, Montcalm County _____
 State and Zip Code MI. 48888 _____
 Telephone Number 989-831-8400 _____ 989-831-8556 _____
 E-mail Address NA _____

✓ Individual capacity ✓ Official capacity

Defendant No. 14

Name Wayne County, MDHHS _____
 Job or Title Mr. Holsten- Supervisor, et al. _____
 Street Address 26355 Michigan Avenue _____
 City and County Inkster, Wayne County _____
 State and Zip Code MI. 48141 _____
 Telephone Number (313) 792-7700 _____
 E-mail Address NA _____

✓ Individual capacity ✓ Official capacity

Defendant No. 15

Name US Department of Justice _____
 Job or Title Michael Alston- Director, et al. _____
 Street Address 810 Seventh Street, _____
 City and County NW Washington, DC, District Of Columbia County
 State and Zip Code NW Washington, DC 20531 _____
 Telephone Number 202-514-2000 _____
 E-mail Address NA _____

✓ Individual capacity ✓ Official capacity

Defendant No. 16

Name US Department of Justice _____
 Job or Title Michael Alston- Director, et al. _____
 Street Address Civil Rights Division 950 Pennsylvania Avenue,
 N.W. Housing and Civil Enforcement

Section _____
City and County Washington, D.C. _____
State and Zip Code NWB Washington, DC 20530 _____
Telephone Number 800-514-0301 _____
E-mail Address NA _____
☒ Individual capacity ☒ Official capacity

Defendant No. 17

Name US Department of Justice, Federal Tort Claims Act
Section, Torts Branch, Civil Division _____
Job or Title James L. Touhey Jr.- Director Torts Branch, et al.
Street Address P.O. Box 888, Benjamin Franklin Station _____
City and County Washington, DC, District Of Columbia County _
State and Zip Code Washington, DC 20044 _____
Telephone Number 202-514-2000 _____
E-mail Address NA _____
☒ Individual capacity ☒ Official capacity

Defendant No. 18

Name MDCH/ DHS/ Field Operations Administration, Suite
1415-LL _____
Job or Title Rick Lyon- MDHHS Director, et al. _____
Street Address 235 S. Grand Avenue _____
City and County Lansing, Ingham County _____
State and Zip Code MI. 488909-7537 _____
Telephone Number 877 274-9099 Disconnected on page 1 of included
Mi Bridges document? _____
E-mail Address NA _____
☒ Individual capacity ☒ Official capacity

Defendant No. 19

Name Michigan Department of Civil Rights _____
Job or Title Agustin V. Arbula- Director, et al. _____
Street Address Capitol Tower Building, 110 W. Michigan Ave., Suite
800, _____
City and County Lansing, MI., Ingham County _____
State and Zip Code MI. 48933 _____

Telephone Number 313 456-3700 _____

E-mail Address NA _____

☒ Individual capacity

 ☒ Official capacity

Defendant No. 20

Name US Department of Justice _____

Job or Title Loretta E. Lynch - Attorney General, et al. _____

Street Address 950 Pennsylvania Ave. N.W. _____

City and County Washington, District of Columbia (DC) County _____

State and Zip Code Washington, DC 20044 _____

Telephone Number 313 456-3700 _____

E-mail Address NA _____

☒ Individual capacity

 ☒ Official capacity

Defendant No. 21

Name U.S. Attorney for the Eastern District of Michigan _____

Job or Title Barbara L. McQuade, et al. _____

Street Address 211 W. Fort Street, Suite 2001 _____

City and County Detroit, Wayne County _____

State and Zip Code MI., 48226 _____

Telephone Number 313-226-9700 _____

E-mail Address NA _____

☒ Individual capacity

 ☒ Official capacity

Defendant No. 22

Name OppenheimerFunds Services _____

Job or Title Arthur P. Steinmetz, et al, Chairman, CEO and
President _____

Street Address P.O. Box 5270 _____

City and County Denver, Denver County _____

State and Zip Code Denver, CO. 80217-5270 _____

Telephone Number 1 800 525-7048 _____

E-mail Address NA _____

☒ Individual capacity

 ☒ Official capacity

II. Basis for Jurisdiction

Under 42 U.S.C. § 1983, you may sue state or local officials for the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights. The plaintiff Timothy S. Dawson is disabled. Insurance was not provided, asset ownership rights violated, unsustainable expenses incurred, loss of income resulted and other financial damages for required asset determination for damages to all plaintiffs. Cognitive belief of plaintiff is state agencies do not even know who has jurisdiction to date as of 04/20/2016. ACA section violations attachment M53 (2 sheets available by requests), sections 1413, 1414, 1555, 1557, 1559, 1561. Title 2 subtitle C section 2201, 2202 (subtitles I and L), section 2951 (Subtitle B and I), section 3113 and subtitle E (Never associated my life to subject of demonstration).section 6401 access to data FOIA, section 6601 and subtitle I, section 6801 and additional with to many violations to list without further resources available..

A. Are you bringing suit against (*check all that apply*):

- ☒ Federal officials (a *Bivens* claim)
- ☒ State or local officials (a § 1983 claim)

B. Section 1983 allows claims alleging the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials?

Section 1557 of Affordable Care Act, Section 504 of American Disabilities Act of 1973. Health Insurance Portability And Accountability Act Of 1996 Public Law 104-191 104th Congress, Title VI of the Civil Rights Act of 1964, Freedom of Information Act, 5 U.S.C. Subsection 552. 42 U.S.C. § 1983, BAM 115 of MDHHS. Timothy S. Dawson is disabled. Insurance was not provided, asset ownership rights violated and loss of income resulted and other financial damages for required asset determination for damages to all plaintiffs. Cognitive belief of plaintiff is state and federal agencies do not even know who has jurisdiction to date as of 04/20/2016 before and after multiple notifications to defendants.

C. Plaintiffs suing under *Bivens* may only recover for the violation of certain constitutional rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are being violated by federal officials.

Section 1557 of Affordable Care Act, Section 504 of American Disabilities Act of 1973 . HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT OF 1996 Public Law 104-191 104th Congress. Title VI of the Civil Rights Act of 1964, Freedom of Information Act, 5 U.S.C. Subsection 552. ___ Timothy S. Dawson is disabled. Section 12132 per CMS-2334. Insurance was not provided, asset ownership rights violated and loss of income resulted and other financial damages for required asset determination for damages to all plaintiffs.

- D. Section 1983 allows defendants to be found liable only when they have acted “under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia.” 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under *Bivens*, explain how each defendant acted under color of federal law.

Repeated discrimination under expanded Medicaid law where magi limits are not available to me like an ordinary citizen. Claimed 0\$ income, appeal decisions not fulfilled, asset determination costs not accepted and required Medicaid application by health insurance marketplace when income was over no determinations of income agreed to with other parties per my income reporting, marketplace and magi limits different because of disability. Can not get daughter removed from Medicaid after numerous attempts and DHS will not speak with me regarding requirements or income information delivered. Appeal center will not allow appeal even though first decision would not be implemented. Probably close to 1000 calls and contact made with no resolution or assistance on getting income/ assets back, insurance for me and dependents, 4 of 5 appeals never addressed and told only attorney can file 1411F appeal. Attorneys assigned to marketplace account can not have information for appeal or applications made towards appeal. 80 or more applications which they could not complete. Told can't file taxes jointly if I don't live with spouse, told can't obtain insurance for myself or dependents if I don't live with them. Countless lies which never end. Told spouse I canceled families insurance. Wife still calling me a liar and divorce cannot be completed. Child labeled handicap without any medical diagnosis. Every family member works at pizza king supposedly according to marketplace. 1095A still not corrected for prior years. Dependents can not get coverage and can not get child off Medicaid and on MI Child as needed because my assets were not at recovery risk because I am disabled only. Timothy S. Dawson is disabled. Insurance was not provided, asset ownership rights violated and loss of income resulted and other financial damages for required asset determinations for damages to all plaintiffs. Loss of use for life estate only option per divorce. ADA section 504 violations resulted by all defendants in one form or another detailed in

attachments per defendants.

- E. Federal courts have ruled regarding Pro Se based complaints on many occasions and ruled based on many prior determinations such as:

138 See Complaint at 3, *Erickson v. Pardus*, 551 U.S. 89 (2007) (No. 05-0405) (per curiam), 2005 WL 5543460 (claiming that prison staff were deliberately indifferent to plaintiff's medical needs in violation of the Eighth Amendment). 139 Allan Ides, *Bell Atlantic and the Principle of Substantive Sufficiency Under Federal Rule of Civil Procedure 8(a)(2): Toward a Structured Approach to Federal Pleading Practice*, 243 F.R.D. 604, 636 (2007) (citing Complaint, supra note 138, at 3). 140 See *Erickson v. Pardus*, 198 Fed. App'x 694, 698 (10th Cir. 2006) (recounting the basis for the district court's dismissal of the pro se complaint), vacated, *Erickson v. Pardus*, 551 U.S. 89 (2007) (per curiam). 141 See *id.* (explaining that *Erickson's* complaint included only conclusory allegations regarding an independent cognizable harm from the doctors removing him from treatment). 142 See, e.g., *id.* at 696 (noting that a "pro se litigant's pleadings are to be construed liberally" but that a court "is not required to assume the role of advocate" (internal quotation marks omitted) (citations omitted)). 143 See *Erickson*, 551 U.S. at 93 (concluding that it was error for the Court of Appeals to dismiss the allegations of independent harm as conclusory).

- F. Congress has waived sovereign immunity with respect to the ADA and because access to the courts is a fundamental right. See *Tennessee v. Lane*, 541 U.S. 509, 522, 524, 529, 531, 534 (2004). Receipt of federal funds waives sovereign immunity. State Medicaid Judge ruled Lack of Jurisdiction. Entities have more than 50 employees, by law they are required to have a § 504/ADA coordinator designated and a § 504/ADA grievance procedure.

- G. Title II of the ADA, which governs disability discrimination actions by state and local government entities, provides that the remedies set forth in Section 505 of the Rehabilitation Act will be the available remedies for discrimination in violation of Title II.⁹ Section 505, in turn, makes the remedies available under Title VI applicable to Section 504 claims.¹⁰ Accordingly, the same remedies are applicable to Title VI, Section 504, and the ADA's Title II. The Civil Rights Act of 1991 amended Title VII of the 1964 Civil Rights Act and Title I of the ADA to declare that punitive damages are not available in cases against "a government, government agency or political subdivision."¹¹ This provision does not apply, however, to Title VI of the 1964 Act or to Title II of the ADA, suggesting that Congress contemplated the possibility of punitive damages under Title VI and Title II. Moreover, during congressional consideration of the ADA, two committee reports indicated that a "full panoply of

remedies" were to be available in actions under Title II.¹² The prospect of punitive damages under Title II received additional support in the ADA report of the House Committee on the Judiciary,¹³ which cited *Miener v. Missouri*,¹⁴ a Section 504 case where the court recited the principle that "[t]he existence of a statutory right implies the existence of all necessary and appropriate remedies." The Supreme Court had provided indirect support for the availability of punitive damages under Title II by its decision in *Franklin v. Gwinnett County Public Schools*, 503 U.S. 60, 70-71 (1992), in which the Court stated that it would "presume the availability of all appropriate remedies, unless Congress has expressly indicated otherwise." While *Franklin* was a Title IX case,¹⁶ the framework of analysis it applied led some lower courts to award punitive damages under Section 504.¹⁷

III. Statement of Claim

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph.

1. All defendants listed other than Oppenheimer Funds Services (#4 in Injuries/ defendant 22/ 2 in statement of claim).

A. Where did the events giving rise to your claim(s) occur?

Dearborn, Dearborn Heights, Garden City, Inskster, Stanton and Edmore, MI. ____

B. What date and approximate time did the events giving rise to your claim(s) occur?

January 1st, 2014 to present (03/07/2016). Systemic and continuing. _____

C. What are the facts underlying your claim(s)?

Multiple parties and multiple witnesses. Discrimination by multiple parties under section 504 of the American Disability Act, section 1557 of the Affordable Care Act, multiple staffs (named defendants) were deliberately indifferent to plaintiff's medical needs in violation of the Eighth Amendment. Denied rights to income as other non disabled people have by requiring Medicaid application due to disability to try and access health coverage for self and family defendants. Failure to address required application as a voluntary program when health insurance is required by

law. Requirements continuing thru April 2016, with stated recovery rights attached and required for Insurance consideration. for asset/ income information per case 1182600145 and transfer of case to Michigan community health per Health Insurance Marketplace. Failure to recognize MAGI vs. Non MAGI requirements and impact on results that continually placed Kelsey Rae Dawson on Medicaid against parental consent, appeals and requirement to accept 0\$ per DHS when unknown resulted due to Marketplace Appeal Decision which could not be fulfilled. No answers to asset determination cost to date from any named defendants and requirement to provide personal asset values for land previously owned by defendant were not available without drilling, completion and appraisal costs involved. Recovery rights by the State of Michigan have not been clarified to date as evidenced by continual requests for the information, repeated placement of daughter on Medicaid and without being subject to recovery due to disability. Repeated errors as shown by marketplace appeal process, continuing expost facto requirements and Medicaid, DHS, CMS OCR's and other named defendants refusal to stop the discrimination after multiple attempts and years of notifications. BAM 115 per 04/19/2016, MDHHS. Per

http://www.michigan.gov/mdhhs/0,5885,7-339-71547_5526_7028_7064-280415--,00.html. "you or anyone in your household receives benefits they are not eligible for, all adults in the household are responsible for repaying the extra benefits even if they no longer live in the home. The benefits must be repaid even if MDHHS makes the error. If you continue to receive benefits, MDHHS may keep part or all of your benefits to repay the benefits you received in error". When I am required to comply with a voluntary program and they have rights to recovery of my property, assets and/or income because I am disabled and MAGI limits are not applied like other people or general public, I am discriminated against. Recovering my assets is not insurance. Required to spend millions for asset determination and other asset owners of the same income levels who may own mineral rights are not because they are not required to apply for Medicaid or asset determination costs is discrimination.

Process controls were available to defendants prior to the ACA thru companies like IBM/Teamcenter Engineering/ Watson, <https://watson-api-explorer.mybluemix.net/> for communications to eliminate issues like I have experienced.

It is not my job to fix others negligence to fix change controls or their processes. Exhausted Administrative Resources. They need to be fixed. Arizona, Texas, Oklahoma and Nevada have started lawsuits, saying the decision needs Congressional approval. Not my issue of controls of the internet or processes. Completion costs and related legal fees for reservation of oil/ gas mineral interests only option to maintain ownership rights towards required asset determination for medical coverage. Still waiting.

Defendent Attachments 1-22. Defendant1-(1-22) attach*.*.docs supplied copies

listed below.

Defendant No. 1- Jacquelyn Samuels, et al. - Office for Civil Rights, U.S. Department of Health and Human Services

Defendant No. 2- Kevin Counihan- Marketplace CEO, et al.- Health Insurance Marketplace.

Defendant No. 3- Helen- Director, Badge# 82614, et al. Marketplace Appeals Center.

Defendant No. 4- Andy Slavitt- Acting Administrator, et al.- U.S. Centers for Medicare & Medicaid Services

Defendant No. 5- Peggy Dotzel- Acting General Council, et al. Office of General Council, U.S. Department of Health and Human Services

Defendant No. 6- Stacy Bowen- District Manager, et al. Western Wayne - Children & Family Services, MDHHS

Defendant No. 7- Kevin Counihan- Marketplace CEO, et al., The Center for Consumer Information & Insurance Oversight

Defendant No. 8- Rick Lyon- MDHHS Director, et al. Healthy Michigan, Department of Health and Human Services

Defendant No. 9- Tom Romeo- President, et al. MAXIMUS Federal Services

Defendant No. 10- Rick Lyon- MDHHS Director, et al. Michigan Department of Community Health

Defendant No. 11- Lisa Gigliotti- Director, et al. Michigan Administrative Hearing System

Defendant No. 12- Rick Lyon- MDHHS Director, et al. MiNotifyTPL, Department Of Health And Human Services

Defendant No. 13- Linda Porter- Case Worker, et al. Montcalm County, MDHHS

Defendant No. 14- Mr. Holsten- Supervisor, et al. Wayne County, MDHHS

Defendant No. 15- Michael Alston- Director, et al. US Department of Justice

Defendant No. 16- Michael Alston- Director, et al. US Department of Justice, Civil Rights Division

Defendant No. 17- James L. Touhey Jr.- Director Torts Branch, et al. US Department of Justice, Federal Tort Claims Act Section

Defendant No. 18- Nick Lyon- MDHHS Director, et al. MDCH/ DHS/ Field Operations Administration

Defendant No. 19- Agustin V. Arbulu- Director, et al. Michigan Department of Civil Rights

Defendant No. 20- Loretta E. Lynch - Attorney General, et al., US Department of Justice

Defendant No. 21- Barbara L. McQuade, et al.- U.S. Attorney for the Eastern District of Michigan

Defendant No. 22- Arthur P. Steinmetz, et al , Chairman, CEO and President, OppenheimerFunds Services

2. Oppenheimer Funds Services (defendant 22) for release of assets for Timothy S Dawson as disability distribution as requested by Omni third party administrator requirements met per Divorce decree and other requirements met. Attorney opinions/ QDRO and any additional requirements after the facts are not required for disability distribution of my assets unless Oppenheimer Funds Services believes a Divorce process overrides my disability rights after the divorce was completed and account assets were defined as part of the settlement. Actual and/or punitive damages.

IV. Injuries

If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive. Systemic.

Medical review of MRI Spectroscopy. Spouse's loss of exams when insurance was canceled. Multiple deductibles and co pays for 2014. Coverage information not available to parent of minor because she does not reside with Timothy Dawson. Medical bills sustained by minor summer of 2015. Mi Child canceled with no reason and response to billing still not available as of 03/07/ 2016. Medicare cancellation for proof Mr. Dawson was not on Medicare. Insurance was not reinstated for October, 2015 with 100,000\$ radiation billing for Mr. Dawson. Loss of insurance coverage for self and dependents. Divorce action resulting from dissolving property's jointly owned and considered under recovery rights and liabilities of Timothy S. Dawson and Bonnie L. Dawson for asset determination and 50/50 medical split party's are responsible for. Loss of Medicare potential was estimated near 100,000 for the month of October 2015 when Appeal Order from Marketplace Appeal Center decision was to reinstate insurance. Kelsey R. Dawson was removed from MI Child again and information regarding coverage again not available, insurance was not reinstated for Timothy S. Dawson and no subrogation for any medical bills or retro activity occurred once again. Medical coverage is still in question with no responses to discrimination issues written by registered mail to Marketplace appeal center and emailed or advised by phone multiple parties. All medical bills for time before and after registered mail request, verbal requests, external Maximus review and CMS OCR 2014 CMS OCR complaint and DHS appeals processes. Damages for loss of property rights like other non disabled citizens of 540,000\$. Real property, lost credit availability from property position and resulting agreements and loss of agreements based on property position of life estate and divorce resolution (TBD). Advised y Attorney/ Mediator divorce resolution if not agreed to will most likely force sale of assets

with no determination of oil and or gas rights or distribution to parties of divorce from known asset. Mental anguish for all appellants involved in marketplace appeals which were never addressed or implemented. Lack of coverage and asset recovery risk, unanswered appeal hearing questions and resulting outcomes subject to. Future potential bankruptcy and asset determination costs, asset losses which may or may not have already occurred due to required by DHS/ marketplace application and continual expost facto requirements of said named defendants. Loss of property tax credit from income damages for claimed 0 income from marketplace which has been repeatedly contested and DHS refusal to accept my income asset delivered documentation, lakefront lot assessmen costs. Loss of SSDI payments and SSI payment along with any required back payments or debits due to required proof Timothy S. Dawson is not on medicare and mental anguish for parties as Marketplace Appeal Appellants. Losses resulting from 50% agreement with Tolas oil and gas(or others) for 50% of any recovery (if required agreement executed) from oil and or gas from known mineral rights asset. Legal representation costs associated with any recovery action by Tolas Oil and gas or other operator, regarding Michigan Stray formation and recalled email belief Michigan DEQ/ FERQ/ Bankruptcy costs stated Land in question is/ is not part of the Michcon/DTE storage field and previous agreement to the contrary due to possible reversion rights of mineral interests. Verbal quote for representation from Stanton, Mi. was 20-50 million in legal costs to represent with retainer in excess of Timothy S Dawson's capabilities to pay. Claim towards retainer required based on three quotes if available for retainer to proceed. Timothy S. Dawson is not stating what is or is not considered his mineral rights interest other than what was claimed by filings in Montcalm County after claimed correspondence received. Punitive damages as three times compensatory damages due to gross negligence. Recovery right defense toward prior Montcalm County Circuit court order of judgment for damaged to Edmore property to clear title and related costs to recover damages. Asset determination costs of lake frontage per one lot appraisal in excess of 6000\$ for remaining 11.5 lots or 69,000\$ and any assessment cost for original lot/land in regards to Montcalm County judgment for recovery. Verbal Quote from Stanton, Michigan Attorney of 20-50,000,000 dollars required for representation. 50, 000,000 towards representation and punitive damages in the amount of 150,000,000\$ claimed with 50,000,000 towards representation costs. Please pay to Timothy S Dawson at 10051 Holland Road, Edmore, MI. 48829 the following claim:

- 1 Drilling costs (x2 for units owned) in the amount of :
 1,850000\$ first drilling unit to PDC formation. _____ (Quote following) _____
 1,850000\$ second drilling unit to PDC. _____
 188,000\$ first drilling unit to Michigan Stray formation. _____

188,000\$ second drilling unit to Michigan Stray formation. _____

Drilling casement contingency string of 39,550\$ (79,100\$ for 2 units) for each Michigan stray formation and related contingency string cost for PDC drilling when known dependent on Michigan Stray drilling outcome.

Please pay 4,055,550\$ x3 for punitive damages of 12,166,650\$ along with any related unknown costs towards completion or legal representation in Michigan Stray formation.

2. Any an all costs as related to the first paragraph of Injuries as determined the honorable Federal Courts in Wayne and/or Ingram Counties, Wayne Count Circuit court and/or Montcalm County Circuit courts. Including alll mailing, transportation, parking coping and other related fees not required of the general population to obtain medical coverage for plaintiffs to determine outcome of claims.

3. 200 million additional US Dollars in legal costs for damages and punitive damages.

4. Oppenheimer Funds (defendant 22) for disability distribution per administrator requirement, tax free of 403B account for bills that were to be paid. Treble damages, court costs and related attorney fees. 3,000\$ tax free distribution, x3 for treble damages (actual and/or punitive), court costs and attorney fees and release of remaining assets for 50% of total account holdings released for rollover to another financial entity and or distribution request to Timothy S. Dawson.

5. All legal costs towards representation of owner reversion rights within Michigan Stray formation and or to bottom of Marshall formation due to filings of record within Martinez Lease offer. 1/8th Mineral Interest minimum.

Said land also covers and includes any and all lands owned or claimed by the Grantor adjacent or contiguous to the land described hereinabove whether the same be in such section, survey or surveys or in adjacent surveys or sections although not included within the boundary of the land described above

INITIAL _____

INITIAL _____

Wherever said lease and this Exhibit "A" shall conflict, the language and amendments contained in this Exhibit "A" shall prevail.

GAS STORAGE FIELD CLAUSE:

This lease is subject to any existing gas storage fields and expressly excepts those formations utilized for gas storage. Such formations will be included in this lease if and when the operator of any gas storage field abandons same.

20 year reversion law in Michigan. Montcalm County Pulic Records Mineral Right Affidavit/ Mineral Rights filed.

RECEIVED APR 15 2005



STATE OF MICHIGAN - MONTCALM COUNTY
RECORDED
04/15/2005 2:48:37 PM
LORI A. WILSON, REGISTER OF DEEDS



LIBER 1237 PAGE 523

AFFIDAVIT
STATE OF Michigan

ss.

COUNTY OF Montcalm COUNTY

KNOW ALL YE MEN BY THESE PRESENTS,

That on this 14th day of April, 2005, personally came and appeared before me Timothy S. Dawson, of 10051 Holland Road N.E., Edmore, MI, 48829, known, and known to me, who after being first duly sworn, deposes and says:

I am the Owner of mineral, oil, and gas interests from the surface to the center of the earth located in the Southeast quarter of section 11, T 12 N R 7 W, and also the southeast quarter of the Southwest quarter located in Belvidere Township, Montcalm County, Michigan as described in Liber 837, page 1025 and part of section 14, T 12N, R 7 west as described in Liber 837, page 1023. I also hold legal interest to other subsurface formations within the south half of the southwest ¼ by legal leases of record and Agent agreements within T12N, R7 W. I and or my successors have the intent on using these resources in the future and have not reverted to the State of Michigan or any other parties to date. All previous interests held by Michigan Consolidated Gas company, Consumers Power, Michigan Natural Resources Company, or other prior to 1953 would revert to me the successor per Liber 351, pages 480-481, and supporting chain of title of record and expired leases of record. I do not surrender unto the State of Michigan or any others the interests described above. Interests after 1953 would also revert to me per Liber 351 pages 480-481 and expired leases of

Dr Harrison/ Geology professor. "The only way to truly know what is there is to drill it"?

Total Legal costs/ Injuries unknown at this time by Plaintiff Timothy S. Dawson.

EXHIBIT "A"

Attached and made a part of that certain Oil and Gas Lease dated _____, 2014, by and between **Timothy S. Dawson, aka Tim Dawson, and Bonnie L. Dawson, husband and wife**, as Lessor and **Maritz Land Company, LLC** as Lessee.


Town 12 North – Range 7 West, Belvidere Township, Montcalm County, MI

Section 11: Part of the South $\frac{1}{2}$ of Southeast $\frac{1}{4}$ AND Southeast $\frac{1}{4}$ of Southwest $\frac{1}{4}$ described as Beginning 782.78 feet North 89° West from Northeast corner of South $\frac{1}{2}$ of Southeast $\frac{1}{4}$; thence South 846.25 feet; West 300.00 feet; North 125.00 feet; North 78° West 813.79 feet; South 600.00 feet to South Section line; South 89° West 250.00 feet along said South line; North 150.00 feet; North 89° West 309.63 feet; South 150.00 feet; North 89° West 150.00 feet to $\frac{1}{4}$ corner to Sections 11 & 14; South 89° West 1312.40 feet along South Section line to South $\frac{1}{8}$ corner of Southwest $\frac{1}{4}$ and C/L of Creek; North 61° East 87.54 feet along C/L; North 27° West 171.45 feet along C/L of Black Creek to a point where West $\frac{1}{8}$ line of Southwest $\frac{1}{4}$ crosses said Creek; North 760.51 feet along said $\frac{1}{8}$ line to C/L of said Creek; thence along C/L of Black Creek the following courses: North 71° East 294.54 feet; North 59° East 215.73 feet; North 63° East 121.79 feet; South 70° East 325.24 feet; North 88° East 105.60 feet; North 37° East 99.68 feet; North 01° West 131.77 feet to a point on South $\frac{1}{8}$ line of Southwest $\frac{1}{4}$; North 89° East 270.00 feet along said $\frac{1}{8}$ line to South $\frac{1}{8}$ corner on North – South $\frac{1}{4}$ line; North 89° East 1829.87 feet to point of beginning, Section 11, Town 12 North, Range 7 West, *containing 74.30 acres, more or less.* ALSO Part of the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 11, T12N-R7W, Belvidere Township, Montcalm County, Michigan, described as Beginning at the Southeast corner of said Section; thence North $89^{\circ}54'11''$ West 800.00 feet along the South Section line; thence North $00^{\circ}05'49''$ East 1321.25 feet to a point on the South $\frac{1}{8}$ line of the Southeast $\frac{1}{4}$ of said Section; thence North $89^{\circ}54'56''$ East 254.78 feet along said $\frac{1}{8}$ line; thence South $00^{\circ}38'54''$ East 710.34 feet; thence North $89^{\circ}54'56''$ East 264.00 feet; thence South $00^{\circ}38'54''$ East 214.70 feet to a point on the centerline of an easement; thence South $78^{\circ}36'08''$ East 4.08 feet along said centerline; thence North $89^{\circ}33'22''$ East 260.00 feet along said centerline to a point on the East Section line of said Section; thence South $00^{\circ}38'54''$ East 399.62 feet along said Section line to the Point of Beginning. Subject to Easements, Restrictions and Right of Ways of record. *Containing 14.12 acres, more or less.* Altogether containing 88.41 acres, more or less. TAX ID: 59-001-011-016-02

Section 14: Part of the Northwest $\frac{1}{4}$ of Northeast $\frac{1}{4}$ described as beginning at North $\frac{1}{4}$ corner of Section 14; thence South 260.00 feet along North and South $\frac{1}{4}$ line to a meandering point on North side of Fifth Lake; North $51^{\circ}23'$ East 191.93 feet along said meandering line; North 140.00 feet to North Section line; North $89^{\circ}54'$ West 150.00 feet along said North line to point of beginning; ALSO Part of Northwest $\frac{1}{4}$ of Northeast $\frac{1}{4}$ described as beginning South $89^{\circ}54'$ East 459.63 feet from North $\frac{1}{4}$ corner of Section 14; continuing South $89^{\circ}54'$ East 250.00 feet; South 15.00 feet to a meandering point on North line of Fifth Lake; North $88^{\circ}48'$ West 250.06 feet along said meandering line; North 10.00 feet to point of beginning, containing 0.76 acres, more or less. Less taking and judgement/ Montcalm County Circuit Court.

ACRES: 89.17

6. Any L=legal costs associated with Life Estate (125K\$ or TBD) of mineral rights due to only Divorce option available. Bankruptcy costs and clear title costs to private property, Drill quote, (one unit, two for property in question for asset determination required) Prairie Du Chain (PDC) below:



BICARD DRILLING
5680 Venture Way
St. Petersburg, Michigan 48808
Phone (983) 775-6808 - Fax (983) 776-0809
Cell (419) 621-4981 - sbgardner@bicarddrilling.com

PROVAL FOR EXPENDITURES

Recommended Contractor: PDC

Recommended Spud Date: _____

Estimated Total Depth: _____

County: Wayne

		EST. COST	ACTUAL COST			EST. COST	ACTUAL COST
1	Lease			27	Third Party services to Plug Well	27,500	
2	Drilling Permit			28	Control of Well Insurance	15,000	
3	Survey & Elevation	2,000		29	Casing Shoes/Heads, Cmt	7,500	
4	Legal Fees			30	Logging - Electric	15,000	
5	Road to Location	4,000		31	Rig Time Spec. Sw		
6	Drill Site Land Damage				1 Day @ \$		
7	Drill Site Preparation Pits and Cellers	2,500		32	Admin Expense		
8	Dozer Work Services for loading road open to allow contractor equipment	12,500		33	Miscellaneous		
9	Location	2,500		34	Rig Move	5,000	
10	Geologist			35	Rig Firm	7,000	
11	Sample Bags			36	Plastic Liner	15,000	
12	Temperature Surveys	7,000		37	Bills	45,000	
13	Pressure Testing SWC	10,000		38	Casing		
14	Mud Logger	20,000		39	Directional Drilling Svc		
15	Drilling Contract Days @ \$ 11,500	87,500		40	Dumpster/Permitation	5,000	
16	Drilling Mud & Chemicals	100,000		41			
17	Wellhead Assembly & Connectors	15,000		42			
18	Conductor Pipe 12" 30' - Driver	16,500		TOTAL ESTIMATED COST:		1,850,000	
19	Surface Casing 12" 30' - Driver	37,500		TOTAL ACTUAL COST:			
20	Intermediate Casing 13" 17' 14,500	37,500		Signed: _____			
		15,000		Print Name: _____			
21	Wellbore Services	8,500		Signed: _____			
22	Casing Checks	7,500		Print Name: _____			
23	Contract & Service Surface Casing	2,000					
24	Cement & Service Intermediate Casing	22,500					
25	Turning Casing	15,000					
26	Water Hauling Water Well	7,500					

V. Relief

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims.

1. Property dissolved loss due to Medicaid recovery potential/ divorce because insurance was not attainable for dependents. 267,500\$. Property asset assessment cost towards Medicaid application requirement 4,055,550\$ x3 for punitive damages of 12,166,650\$ along with any related unknown costs towards completion or legal representation in Michigan Stray formation. . 70,000\$ lakefront assessment based on 12.5 lots. 6,200\$ for one in 2008. Gas/oil asset value determination costs. Funds for quote towards drilling cost to prove resource value (any completion costs associated if productive). Provide Insurance per MI Child requirements without non magi discrimination. Legal costs associated with obtaining insurance, recovery under claim and taxes paid from any asset depletion. Restraining order against denial of insurance. Relief for injuries listed in injuries. Costs associated with insurance responses as needed, per defendants listed. Asset determination cost per Medicaid required application estimated at 70K for lake frontage assessment and 1,850,000\$ for oil and gas value determination for PDC and 188,600\$ and 39,950 contingency costs for Michigan stray formation towards drilling of mineral/gas/oil rights owned, per drilling units. (attachments 3-O and 3P, available on requests). Study costs per estimate and Completion costs if asset along with Appropriate attorney fees and tax payments towards any claimed incomes paid towards others income(s). Costs for divorce for spouse to try and obtain coverage for daughter, clear titles and try to begin normal lives. With 1,000,000\$ for mental anguish if 3x punitive damages are not awarded and 125,000\$ if required to clear mineral rights interests owned by Timothy S. 350\$ per hour for personal representation required with over 2000 hours to date by Timothy S Dawson. Dawson and established life estate if necessary to procure clear title from Bonnie L. Dawson and payable 125,000\$ to Bonnie L. Dawson for of life estate consideration. Attorney representation fees associated with this claim and any taxes due on incomes as a result of this claim paid to others. 50,000,000 towards representation and punitive damages in the amount of 150,000,000\$ punitive damages towards representation claimed by Timothy Dawson. 212,166,650\$ to be Paid to Timothy S Dawson on behalf of plaintiffs or Cristy Lee Scott in the event of Timothy Scott Dawson's death. An Order to stop the discrimination by parties involved would also help in future medical insurance needs and payment of all medical expenses incurred that may be subject to any recovery actions by the state of Michigan. After parental sign off of Medicaid does not work, a MI Child insurance program for Kelsey Rae Dawson, and affordable insurance program for Ryan B. Dawson should follow after marketplace

appeal process completely failed. Medicare shall continue without decisions by marketplace I am not entitled to Medicare without any due processes in place for their requirements.

2.

Icann keeps an eye on the core addressing system of the internet, known as DNS, via a subsidiary called the Internet Assigned Numbers Authority. DNS translates the names that humans use to navigate the web into the numbers computers use. Government processes failed possibly validated 10/01/2016 when internet controls were placed in question.

All costs associated with legal representation of mineral rights down to and including the Marshall formation, mailing costs, transportation costs, copying costs, parking, and other miscellaneous costs such as filing fees, parking, etc..

2. For Oppenheimer Funds Services (Defendant 22), Treble damages, court costs and related attorney fees. 3,000\$ tax free distribution, x3 for treble damages, and release of remaining assets for 50% of total account holdings released for rollover to another financial entity and or distribution request to Timothy S. Dawson.

VI. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a non frivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 12-2-2016

Signature of Plaintiff [Signature]

Printed Name of Plaintiff Timothy S. Dawson

Signature of Witness [Signature]

Printed Name of Witness Aileen Leslie Cummings

Signature and/or stamp of Notary Public [Signature]

Printed Name of Notary Public [Signature]

SUSAN B. HARRISON
NOTARY PUBLIC STATE OF
MISSISSIPPI
MY COMMISSION EXPIRES 12/31/2017
ACTING IN THE STATE OF MISSISSIPPI

Stamp:

POOR QUALITY ORIGINAL

B. For Attorneys following (blank)

B. For Attorneys

Date of signing: _____, 20__

Signature of Attorney _____ Pro Sec/None to date _____

Printed Name of Attorney _____

Bar Number _____

Name of Law Firm _____

Address _____

Telephone Number _____

E-mail Address _____

Defendant No. 1- Jacquelyn Samuels, et al. - Office for Civil Rights, U.S. Department of Health and Human Services

Defendant No. 2- Kevin Counihan- Marketplace CEO, et al.- Health Insurance Marketplace.

Defendant No. 3- Helen- Director, Badge# 82614, et al. Marketplace Appeals Center.

Defendant No. 4- Andy Slavitt- Acting Administrator, et al.- U.S. Centers for Medicare & Medicaid Services

Defendant No. 5- Peggy Dotzel- Acting General Council, et al. Office of General Council, U.S. Department of Health and Human Services

Defendant No. 6- Stacy Bowen- District Manager, et al. Western Wayne - Children & Family Services, MDHHS

Defendant No. 7- Kevin Counihan- Marketplace CEO, et al., The Center for Consumer Information & Insurance Oversight

Defendant No. 8- Rick Lyon- MDHHS Director, et al. Healthy Michigan, Department of Health and Human Services

Defendant No. 9- Tom Romeo- President, et al. MAXIMUS Federal Services

Defendant No. 10- Rick Lyon- MDHHS Director, et al. Michigan Department of Community Health

Defendant No. 11- Lisa Gigliotti- Director, et al. Michigan Administrative Hearing System

Defendant No. 12- Rick Lyon- MDHHS Director, et al. MiNotifyTPL, Department Of Health And Human Services

Defendant No. 13- Linda Porter- Case Worker, et al. Montcalm County, MDHHS

Defendant No. 14- Mr. Holsten- Supervisor, et al. Wayne County, MDHHS

Defendant No. 15- Michael Alston- Director, et al. US Department of Justice

Defendant No. 16- Michael Alston- Director, et al. US Department of Justice, Civil Rights Division

Defendant No. 17- James L. Touhey Jr.- Director Torts Branch, et al. US Department of Justice, Federal Tort Claims Act Section

Defendant No. 18- Nick Lyon- MDHHS Director, et al. MDCH/ DHS/ Field Operations Administration

Defendant No. 19- Agustin V. Arbulu- Director, et al. Michigan Department of Civil Rights

Defendant No. 20- Loretta E. Lynch - Attorney General, et al., US Department of Justice

Defendant No. 21- Barbara L. McQuade, et al.- U.S. Attorney for the Eastern District of Michigan

Defendant No. 22- Arthur P. Steinmetz, et al , Chairman, CEO and President, OppenheimerFunds Services

Attachment 1 (Lid)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement that provided by local rules of court. This form, approved by the Judicial Conference of the United States for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS *Kelsey Rene Dawson*

(b) County of Residence of First Listed Plaintiff
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

DI

Case: 2:16-cv-14301

Judge: Friedman, Bernard A.

MJ: Patti, Anthony P.

Filed: 12-09-2016 At 01:15 PM

CMP DAWSON ET AL V. SAMUELS ET AL (NA)

County of Residence of First Listed Defendant *District of Columbia*
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☒ 2 U.S. Government Defendant
- ☐ 3 Federal Question (U.S. Government Not a Party)
- ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | PTF | DEF | | PTF | DEF |
|---|---------------------------------------|----------------------------|---|----------------------------|--------------------------|
| Citizen of This State | <input checked="" type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	PERSONAL INJURY <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL ASSETS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	PRISONER PETITIONS Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

V. ORIGIN (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding
- ☐ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from Another District (specify)
- ☐ 6 Multidistrict Litigation

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

Supreme Court Act - Section 501

Brief description of cause:

Discrimination of Asst. Income Health Care

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$ *212,000.00*

CHECK YES only if demanded in complaint:

JURY DEMAND: ☒ Yes ☐ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE SIGNATURE OF ATTORNEY OF RECORD

11-28-2016 R. Sec. T. Smith & Partner

1. Is this a case that has been previously dismissed?

☒ Yes
☐ No

If yes, give the following information:

Court: Michigan Administrative Hearing System: HHS

Case No.: 118260145

Judge: Susan C. Burke

Lack of Jurisdiction

2. Other than stated above, are there any pending or previously discontinued or dismissed companion cases in this or any other court, including state court? (Companion cases are matters in which it appears substantially similar evidence will be offered or the same or related parties are present and the cases arise out of the same transaction or occurrence.)

☒ Yes
☐ No

If yes, give the following information:

Court: Marketplace Appeal Center

Case No.: 31189 + 4 others

Judge: ? Federal Officer: Tom Frumpton

Notes :

New LawsUIT Check List

Instructions: Put a check mark in the box next to each appropriate entry to be sure you have all the required documents.

<input checked="" type="checkbox"/>	Two (2) completed Civil Cover Sheets .	Case: 2:16-cv-14301 Judge: Friedman, Bernard A. MJ: Patti, Anthony P. Filed: 12-09-2016 At 01:15 PM CMP DAWSON ET AL V. SAMUELS ET AL (NA)
<input checked="" type="checkbox"/> Enter the number of defendants named in your lawsuit in the blank below, add 2 and then enter the total in the blank. <div style="display: flex; align-items: center; margin-top: 10px;"> <div style="text-align: center; margin-right: 10px;"> <u>22</u> # of Defendants </div> <div style="margin: 0 10px;">+ 2 =</div> <div style="text-align: center; margin-right: 10px;"> <u>24</u> Total </div> <div>Complaints.</div> </div> <div style="margin-top: 10px;"> Received by Clerk: <u>NA</u> Addresses are complete: <u>NA</u> </div>		

<input type="checkbox"/>	If any of your defendants are government agencies : Provide two (2) extra copies of the complaint for the U.S. Attorney and the Attorney General.
--------------------------	--

If Paying The Filing Fee:	If Asking That The Filing Fee Be Waived:
<input checked="" type="checkbox"/> Current new civil action filing fee is attached. Fees may be paid by check or money order made out to: <div style="text-align: center; margin-top: 10px;">Clerk, U.S. District Court</div> <div style="margin-top: 10px;"> Received by Clerk: <u>NA</u> Receipt #: <u>DET098884</u> </div>	<input type="checkbox"/> Two (2) completed Application to Proceed in District Court without Prepaying Fees or Costs forms. <div style="margin-top: 10px;">Received by Clerk: _____</div>

Select the Method of Service you will employ to notify your defendants:

Service via Summons by Self	Service by U.S. Marshal (Only available if fee is waived)	Service via Waiver of Summons (U.S. Government cannot be a defendant)
<input checked="" type="checkbox"/> Two (2) completed summonses for each defendant including each defendant's name and address. <div style="margin-top: 10px;">Received by Clerk: <u>NA</u></div>	<input type="checkbox"/> Two (2) completed USM – 285 Forms per defendant, if you are requesting the U.S. Marshal conduct service of your complaint. <input type="checkbox"/> Two (2) completed Request for Service by U.S. Marshal form. <div style="margin-top: 10px;">Received by Clerk: _____</div>	<input type="checkbox"/> You need not submit any forms regarding the Waiver of Summons to the Clerk. <u>Once your case has been filed, or the Application to Proceed without Prepaying Fees and Costs has been granted, you will need:</u> <ul style="list-style-type: none"> One (1) Notice of a Lawsuit and Request to Waive Service of a Summons form per defendant. Two (2) Waiver of the Service of Summons forms per defendant. <div style="margin-top: 10px;">Send these forms along with your filed complaint and a self-addressed stamped envelope to each of your defendants.</div>

Clerk's Office Use Only

Note any deficiencies here: